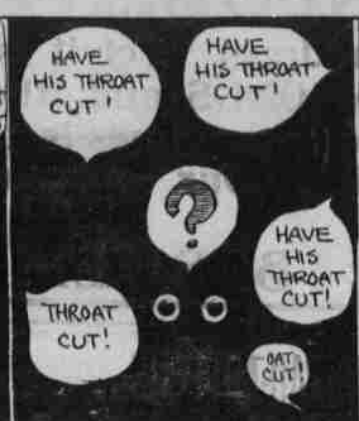


SCOOP THE CUB REPORTER

No Place for a Nervous Huckleberry

By "Hop" J.D. MARINER



WEST END IS GIVEN A PERMIT TO WORK

(Continued from Page 1)

vein known as and called in these proceedings the 'California' or 'Footwall' vein, subject to the inspection of the plaintiff and under the supervision of the court; and the time when the said modification of said injunction shall be made having been regularly continued from the said 1st day of September, 1915, until this date, and all and singular the court being fully advised in the premises.

It is therefore ordered, adjudged and decreed that the said temporary injunction and restraining order heretofore issued and now in force in the above entitled action be and the same is hereby modified and amended in the manner following, to-wit:

That the said defendant corporation, its employees, servants, agents and workmen, until the further order of this court, be and they are hereby permitted to enter in and upon the said Egyptian and Grand Trunk lode mining claims described in the complaint in this action and within the surface boundary lines thereof, extended vertically downwards and within and upon the so-called 'California' vein, 'South Egyptian' vein, otherwise called the 'Footwall' vein, and to work, mine, dig, excavate, blast, drill and pick therein and break down ore and rock therein and develop the same, and to sink winzes and run drifts and levels therein and thereon, all of said work to be done, carried on and conducted by the defendant corporation through shafts, winzes and openings sunk and excavated in the said 'California', 'South Egyptian' or 'Footwall' vein from and through the said California lode mining claim of defendant; provided that the defendant shall not make any crosscuts, raises, or stopes in any of the workings authorized hereunder in the said Egyptian or Grand Trunk lode mining claims.

It is further ordered that the said operations of the defendant in so working, mining and developing the said 'California', 'South Egyptian', or 'Footwall' vein shall be carried on and conducted in a good and minerlike manner and so as not to cause injury or damage to the works of the plaintiff corporation, or its employees.

It is further ordered that in the event said defendant corporation shall encounter any pay ore in any of its workings hereunder within the lines of the said Egyptian, or Grand Trunk lode claims, all of such ore shall be stored in some place in the said Egyptian claim to be designated by plaintiff most convenient to the place from whence the ore is taken from the vein, which said place shall not include the so-called winze excavated in said claim by defendant; and that defendant shall have access to the said ores; that the final disposition of said ores shall abide the further order of the court.

It is further ordered that said defendant shall not do any work hereunder at any point in said Egyptian, or Grand Trunk lode claims easterly of the west end line of the MacNamara lode claim extended northerly.

It is further ordered that the plaintiff shall have the right to put up a raise in the said California, South Egyptian or Footwall vein from the point where the crosscuts from the California vein intersects the said vein within the lines of the Egyptian lode claim and from which point a winze was sunk by the defendant company; said raise not to be carried up on said vein beyond the south line of the Egyptian lode claim. Any ores encountered to be impounded in the same place and under the same conditions as provided for herein relative to ores found and worked by defendant. The defendant to handle and dispose of all rock and ores from such working; provided same is put in a chute by plaintiff so that the same can be drawn for defendant's trammers, plaintiff to handle and dispose of an equal amount of rock mined by defendant hereunder, if put in a chute by defendant so that same may be drawn by plaintiff's trammer; that the plaintiff shall not commence the work of making such upraise until after giving three weeks' notice in writing to the effect to said defendant, and that such notice shall not be given within ten days from date

hereof; that at the end of said three weeks' notice, the said plaintiff shall have the right to commence the work of excavating said upraise and to continue such work for not exceeding fifteen consecutive days thereafter and that plaintiff shall then cease such work and defendant may resume its work theretofore carried on under this order.

That the work so conducted by plaintiff shall be so carried on as not to endanger the equipment of defendant or to cause defendant's worklines to cave.

It is further ordered that not to exceed three agents or representatives of the plaintiff corporation may, at any time during the continuance hereof, enter into and through the works of the defendant and into the drifts, winzes, or openings that are being made and excavated in the said 'California', 'South Egyptian', or 'Footwall' vein and within the surface boundaries extended downwards vertically of the Egyptian and Grand Trunk lode mining claims for the purpose of examinations, inspections, and surveys, and may take samples of the vein, ore and country rock contained therein; provided that such examination, inspection and survey shall be made without unnecessary interference with the work being carried on by the defendant in said 'California', 'South Egyptian', or 'Footwall' vein, and that the said defendant shall afford every reasonable facility it can to the said agents and representatives of the plaintiff to so enter into, examine and survey the said works and openings in and being carried on in the said 'California', 'South Egyptian', or 'Footwall' vein; provided that plaintiff shall make all entries for purposes of such examination and inspection through the so-called raise 7 from the 400-foot level of the Egyptian workings, and that defendant shall maintain a man-way in said raise for such purpose.

It is further ordered that the motion of defendant to make the upraises in said California or South Egyptian or Footwall vein while prosecuting the work herein permitted, is continued without prejudice for further hearing and determination, until the 20th day of December, 1915, at 10 o'clock a. m.

The court reserves the right to further modify this order and also said injunction and temporary restraining order and to supervise and

direct the work that may be carried on by the respective parties under this order.

Done in open court this 7th day of December, 1915.

Attorneys Peck, Solinsky and Atkinson acted as counsel for the West End company, and H. R. Cooke represented the Extension company.

The foregoing order was made in open court by stipulation of the attorneys for both sides and then, also by stipulation, thirty-five days were allowed up to and including January 11th for the West End to answer, the West End agreeing to file no demurrer.

On motion by the West End permission to survey the ground in and near the Egyptian claim was denied, but reserving to the West End permission to call up the motion on notice. This motion has already been partially heard.

HAWAIIANS SCORE

The Hawaiian Sextette at the Theatre Wednesday and Thursday showed themselves to be a drawing card rarely equaled in theatrical history in Lewiston. The afternoon audiences at the theatre were large, but in the evening the theatre found itself unable to accommodate the crowd. It was evident that the songs and music of the sextette struck a popular chord and at the evening performance the Hawaiians were compelled to respond to 10 or 12 encores. —Lewiston Daily News.

CHRISTMAS CHEER

The Seven Troughs Coalition Mining company last week mailed checks for its fifth quarterly dividend, the fourth for this year. It was for 2½ cents on a million and a half shares of stock. From July 1st to October 31st the Coalition produced 1,785 tons of ore that averaged \$104.40 per ton.

aggregating \$186,550. The operating and maintenance expenses for the four months was \$78,641.

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NOTICE TO CREDITORS

IN THE DISTRICT COURT OF THE Fifth Judicial District of the State of Nevada, in and for the County of Nye, In the Matter of the Estate of Malcolm Lloyd MacDonald, deceased.

To the heirs, creditors and claimants and all persons interested in the Estate of Malcolm Lloyd MacDonald, deceased.

TAKE NOTICE that at ten o'clock a. m. on the 15th day of December, 1915, the Administrator of the Estate of Malcolm Lloyd MacDonald, deceased, will apply to the court for an order allowing him to distribute to the creditors of the Estate of Malcolm Lloyd MacDonald, deceased, 7,000 shares of the capital stock of the Halifax Tonopah Mining company pro rata according to their respective claims against said estate, and authorizing him to pay to the attorneys and administrator and to the heirs in full payment of services and claims they have against said estate 6,500 share of said Halifax Tonopah Mining company stock, all in which more fully appears from the petition of Irving MacDonald, Administrator of said estate, on file in the above entitled Court and cause.

By order of the District Judge, Mark R. AVERILL.

Dated: December 4, 1915. MARK R. AVERILL, District Judge

Dec. 6, 15

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